



**SO ORDERED.**

**SIGNED this 22nd day of March, 2011.**

  
LEIF M. CLARK  
UNITED STATES BANKRUPTCY JUDGE

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

IN RE:

AGE REFINING, INC.

DEBTOR

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CASE NO. 50501

CHAPTER 11

**AGREED ORDER GRANTING ANDREWS TRANSPORT, LP  
MOTION FOR NUNC PRO TUNC RELIEF FROM AUTOMATIC STAY**

On this day came on to be considered **ANDREWS TRANSPORT, LP** (“**Andrews**”) Motion for Relief from Automatic Stay (“**Stay Motion**”), and pursuant to which Andrews seeks to terminate the automatic stay to enable it to proceed with certain cross-claims in a lawsuit entitled Cause No. 2010CI-10823; *Allen Ramirez, Individually and Mary Mercado, Individually, as Next Friend of Desiree Ramirez, a Minor v. AGE Refining, Inc. and Andrews Transport, L.C.*; In the 150<sup>th</sup> Judicial District Court, Bexar County, Texas (the “**Lawsuit**”), but only to the extent of insurance coverage provided by the Debtor’s applicable insurance policies (the “**Insurance Policy**”). No opposition to the Motion has been filed by the Debtor or the Trustee for the bankruptcy estate of Debtor. Based on the record of the proceedings herein the Court finds that the relief requested should be granted.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that:

1. The Stay Motion is granted;
2. The automatic stay herein is retroactively terminated to validate Andrews' action and to permit it to proceed with its cross-claim for the recovery of property damage and contribution;
3. Recovery on any Judgment granted in favor of Andrews against the Debtor shall be limited to the proceeds of the Insurance Policy and any other applicable insurance policy owned by the Debtor when Andrews' claims accrued; and
4. The ten (10) day stay effect of this order following its entry under DR 4001(a)(3) shall not apply to this order and the relief provided herein shall be effective on its entry.

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APPROVED:

By: /s/Jerry A. Gibson  
JERRY A. GIBSON  
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